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#3

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

System for Detecting Reporter Gene Expression

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

_____ is attached hereto

X was filed on March 5, 2002 as Serial No. 10/091,240 and amended on _____ (if applicable).

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

NUMBER	COUNTRY	DAY/MONTH/YEAR/FILED	PRIORITY CLAIMED	
			YES	NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS

PCT Applications designating the United States:

PCT APPLICATION NUMBER	U.S.S.N.	STATUS

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

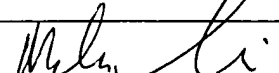
APPLICATION NUMBER	FILING DATE	STATUS
60/273,736	March 5, 2001	expired

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor

Matthew Shair

Inventor's Signature



Date

Residence

50 Rutland Square #4, Boston, MA 02118

Citizenship

US

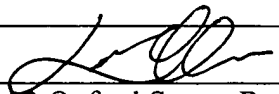
Post Office Address

Same

Full name of second inventor

Lawrence Chan

Inventor's Signature



Date

28/5/2002

Residence

12 Oxford Street, Box 39, Cambridge, MA 02138

Citizenship

Hong Kong

Post Office Address

Same

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ATTORNEY'S DOCKET NO.: 2001180-0051 (HU 11588-98)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shair, et al
Serial No.: 10/091,240
Filed: March 5, 2002
For: *System for Detecting Reporter Gene Expression*

Examiner:
Art Unit: 1641

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

APPOINTMENT OF ATTORNEY

The undersigned individuals authorized to sign on behalf of the assignee in the above-referenced case hereby appoint:

Sam Pasternack, Reg. No. 29,576
Brenda Herschbach Jarrell, Reg. No. 39,223
Kevin Tormey, Reg. No. 41,351
Elizabeth E. Nugent, Reg. No. 43,839
Valarie B. Rosen, Reg. No. 45,698
C. Hunter Baker, Reg. No. 46,533
Monica Gerber, Reg. No. 46,724
Elijah Cocks, Reg. No. 47,499
John A. Hamilton, III, Reg. No. 48,946
Nadège M. Lagneau, Ph.D., Reg. No. P-51,908
Charles Lyon, Ph.D., Limited Recognition Under 37 CFR §10.9(b)

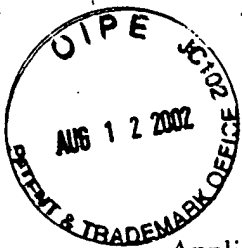
as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to C. Hunter Baker, M.D., Ph.D., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE

By: *Ray L. Shatt*
Title: *Associate Director for Licensing*
Date: *June 25, 2002*

#3



ATTORNEY'S DOCKET NO.: 2001180-0051 (HU 11588-98)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shair, et al Examiner :
Serial No. : 10/091,240 Art Unit : 1641
Filed : March 5, 2002
For : *System for Detecting Reporter Gene Expression*

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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ORIGINALLY FILED**

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR 3.73(b))

The assignee of the entire right, title and interest, **President and Fellows of Harvard College**, hereby seeks to take action in the Patent and Trademark Office in the above-referenced matter:

Ownership by the assignee is established as follows:

_____ documents already recorded in the PTO on _____

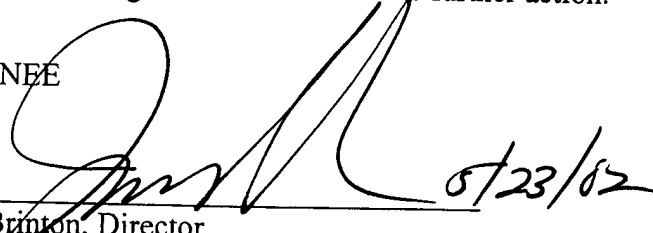
Reel _____ Frame _____; or

_____ documents separately submitted for recordal to the PTO (a copy of these documents are attached).

STATEMENT

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignees who seek to take further action.

ASSIGNEE



Joyce Brinton, Director
Office of Technology & Trademark Licensing
Harvard University

07/23/02

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Matthew Shair of Boston, Massachusetts, United States of America; Lawrence Chan of Cambridge, Massachusetts, United States of America** hereby:

Sell, assign and transfer to **President and Fellows of Harvard College**, having a business address at **17 Quincy Street, Cambridge, MA 02138**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed **March 5, 2002**, Serial No.: **10/091,240** entitled "**SYSTEM FOR DETECTING REPORTER GENE EXPRESSION**" and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

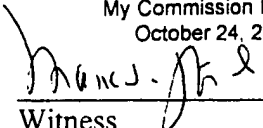
Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, this 29th day of May, 2002.

MARK S. GERSTEL
Notary Public
My Commission Expires
October 24, 2008


Matthew Shair


Witness

Date

Address

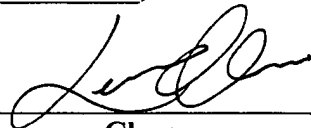
Witness

Date

Address

IN WITNESS WHEREOF, this 29th day of May, 2002.

MARK S. GERSTEL
Notary Public
My Commission Expires
October 24, 2008


Lawrence Chan


Witness

Date

Address

Witness

Date

Address